

RECIPROCAL TRADE

Agreement and exchange of letters signed at Geneva October 30, 1947
Entered into force October 30, 1947; operative January 1, 1948
*Terminated February 10, 1963*¹

61 Stat. 3689; Treaties and Other
International Acts Series 1701

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND BELGIUM SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Government of the United States of America and, on behalf of the Belgo-Luxemburg Economic Union, the Government of the Kingdom of Belgium,

Having participated in the framing of a General Agreement on Tariffs and Trade and a Protocol of Provisional Application,² the texts of which have been authenticated by the Final Act adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

Hereby agree that the Trade Agreement between the United States of America and the Belgo-Luxemburg Economic Union, signed February 27, 1935,³ shall be inoperative for such time as the United States of America and Belgium are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof; *Provided*, that in the event that either the United States of America or Belgium should withdraw its application of the General Agreement, and the said Trade Agreement should thereupon again become operative, the customs treatment accorded by the Belgo-Luxemburg Economic Union to products of the United States of America described in Schedule I of the said Trade Agreement shall be no less favorable than that provided for such products in the Customs Tariff annexed to the Belgo-Luxemburg-Netherlands Customs Convention concluded September 5, 1944, as amended by the Protocol signed March 14, 1947.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the Kingdom of Belgium, after having ex-

¹ Pursuant to notice of termination given by the United States Aug. 10, 1962.

² TIAS 1700, *ante*, vol. 4, pp. 641 and 687.

³ EAS 75, *ante*, p. 710.

changed their full powers, found to be in good and due form, have signed this Supplementary Agreement.

DONE in duplicate, in the English and French languages, both texts authentic, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the United States of America:

WINTHROP G. BROWN

For the Government of the Kingdom of Belgium:

P. A. FORTHOMME

EXCHANGE OF LETTERS

The Acting Chairman of the United States Delegation to the Second Session of the Preparatory Committee of the U.N. Conference on Trade and Employment to the Acting Chairman of the Belgo-Luxembourg Delegation

OCTOBER 30, 1947

DEAR MR. FORTHOMME:

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1935 between the United States and the Belgo-Luxembourg Economic Union inoperative so long as both the United States and the Belgo-Luxembourg Economic Union are parties to the General Agreement on Tariffs and Trade.

As you know, the Agreement entered into between the United States and the Belgo-Luxembourg Economic Union in 1935 provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1935 Agreement to exercise this right of termination.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting the termination provision of the 1935 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1935 Agreement given by either party while we

were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1935 Agreement in six months.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours

WINTHROP G. BROWN
Acting Chairman

Mr. P. A. FORTHOMME
*The Delegation of Belgium-Luxemburg
Palais des Nations*

*The Acting Chairman of the Belgo-Luxembourg Delegation to the Acting
Chairman of the United States Delegation*

dS/EM

GENEVA, October 30th, 1947

DEAR MR. BROWN,

I have the honour to acknowledge the receipt of your letter dated October 30, 1947, in which you wrote:

[For text of U.S. note, see above.]

I can give you the assurance that my Government has the same understanding about this matter.

Sincerely yours,

P. A. FORTHOMME
Acting Chairman

Mr. WINTHROP G. BROWN
*The Delegation of United States
Palais des Nations
Geneva*